

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SIMPLE DESIGN LTD.,
Plaintiff,

v.

CANDYMOBI INFORMATION
TECHNOLOGY CO., et al.,
Defendants.

Case No. 19-cv-05501-VC

**ORDER FOR SUPPLEMENTAL
BRIEFING**

Simple Design's motion for a default judgment does not provide an adequate basis for assessing the amount of damages. *See Wecosign, Inc. v. IFG Holdings, Inc.*, 845 F. Supp. 2d 1072, 1084-85 (C.D. Cal. 2012); *Sennheiser Electronic Corp. v. Eichler*, 2013 WL 3811775, at *7-9 (C.D. Cal. Jul. 19, 2013). Within 14 days of this order, Simple Design is ordered to file a supplemental brief of no more than ten pages, as well as any relevant evidence, to support a damages calculation. To the extent Simple Design seeks statutory damages, the brief should also address whether the alleged infringing marks qualify as counterfeits.¹ *See Align Technology, Inc. v. Strauss Diamond Instruments, Inc.*, 2019 WL 1586776, at *11 (N.D. Cal. Apr. 12, 2019); *Gibson Brands, Inc. v. John Hornby Skewes & Co., Ltd.*, 2016 WL 7479317, at *5-7 (C.D. Cal. Dec. 29, 2016); *Johnson v. Connolly*, 2007 WL 1151004, at *2 (N.D. Cal. Apr. 18, 2007).

IT IS SO ORDERED.

Dated: April 21, 2020



VINCE CHHABRIA
United States District Judge

¹ In this respect, the Court might benefit from examining full-color versions of both the registered and the allegedly counterfeit marks.